

Date Mailed March 24, 1998

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Complaint by AT&T Communications of Wisconsin, Inc. (AT&T), Against
Wisconsin Bell, Inc. (d/b/a Ameritech Wisconsin) for Refusal to Provide
Services or Components for AT&T's ACCU-Ring Service

6720-TI-143

**NOTICE OF INVESTIGATION, REQUEST FOR RESPONSE
AND ASSESSMENT OF COSTS**

Answer or Other Response Due:
April 17, 1998 – Noon

FAX Due Date:
April 16, 1998 – Noon

Address Response To:
Lynda L. Dorr
Secretary to the Commission
Public Service Commission
P.O. Box 7854
Madison, WI 53707-7854
Fax No. (608) 266-3957

On January 16, 1998, AT&T Communications of Wisconsin, Inc. (AT&T), filed a complaint against Wisconsin Bell, Inc., d/b/a Ameritech Wisconsin, pertaining to provision of AT&T's ACCU-Ring Network Access Services (ACCU-Ring). ACCU-Ring allows two-way transmission of voice, data, and packetized data signals from customers over a self-healing fiber optic Synchronized Optical Network (SONET) ring at rates from 1.5 Mbps to 155 Mbps. The self-healing SONET ring itself operates at a capacity of 155 Mbps to 2.5 Gbps or at the optical speed of OC-3 to OC-48 levels. Customers can designate as a service point, or node, their own premises, a wire center of a local exchange telephone company, or any other locations where traffic is originated or terminated.

Based on its ACCU-Ring Access requirements specifications, AT&T completes the SONET ring by combining its own facilities with various components purchased from other vendors. Ameritech is such a vendor in Wisconsin. Aggregation of telecommunications traffic is one major item among many other features of the ACCU-Ring service, such as network reliability, service management, service warranty, flexible service, pricing flexibility, and discounts. Traffic aggregation involves consolidation of all kinds of traffic from services like private line, switched and enhanced services, local exchange services and those carried by competitive access providers and other common carriers.

In its filing with the Commission, AT&T alleges that Ameritech Wisconsin is unlawfully prohibiting aggregation and transmission of local exchange traffic on ACCU-Ring. AT&T is also claiming that Ameritech Wisconsin, as the only incumbent vendor providing SONET components and local exchange services, is using its monopoly to impede AT&T's ability to market and sell ACCU-Ring services in Wisconsin. AT&T further states that Ameritech Wisconsin provides ACCU-Ring-type, SONET-based services to many customers through its own business unit and there is no such prohibition against aggregating local traffic in those situations.

AT&T contends that Ameritech Wisconsin is unlawfully refusing to provide service and that such refusal violates several sections of ch. 196, Stats. AT&T requests relief that:

1. Prohibits Ameritech Wisconsin from placing or enforcing restrictions on aggregating local exchange traffic in SONET-based ACCU-Ring services.
2. Prohibits Ameritech Wisconsin from discriminating against AT&T in favor of its own business units and thus impeding competition.
3. Initiates any civil action deemed necessary for injunctive relief or monetary damages to the fullest extent of the Commission's jurisdiction and statutory authority.
4. Takes necessary action for the Commission or a court to ultimately award AT&T the maximum permissible monetary damages against Ameritech Wisconsin such damages to be compensation for business lost as a result of the alleged discriminatory practices of Ameritech Wisconsin.

NOTICE IS HEREBY GIVEN that the Commission will formally investigate the complaint of AT&T, which is provided herewith to Ameritech Wisconsin in compliance with § PSC 2.11, Wis. Adm. Code. The scope of the investigation may include investigation of matters involving violation of state statutes in ch. 196, Stats., and corresponding or similar provisions in the Communications Act of 1934, 47 U.S.C. § 151 *et seq.*, as made relevant to state jurisdictions by the Telecommunications Act of 1996, Pub. L. 104-104, 110 Stat. 56 (1996). Ameritech Wisconsin should send an **original and 15 copies** of its written answer or response to the allegations of AT&T's complaint as shown in the box above and should refer to docket 6720-TI-143. The response must be received at the Commission **by noon on April 17, 1998**. If submitted by fax, the response should be received by **noon on April 16, 1998**. Fax filing cover sheets must state "Official Filing," the docket number, and number of pages (limit 20 pages). File by one mode only. The correspondence and pleadings should reference the docket 6720-TI-143.

NOTICE IS FURTHER GIVEN that the Commission intends to investigate this matter before determining whether or not a hearing in this case is required. If such a hearing becomes necessary, the Commission at a future date will notice a time for hearing.

The Commission has jurisdiction to issue this notice pursuant to §§ 196.02, 196.03, 196.04, 196.219, 196.26, 196.28, 196.37, Stats., and other provisions of chs. 196 and 227, Stats., as may be pertinent hereto.

This is a Type III action under § PSC 4.10(3), Wis. Adm. Code. No unusual circumstances suggesting the likelihood of significant environmental consequences have come to the Commission's attention. Neither an environmental impact statement under § 1.11, Stats., nor an environmental assessment is required.

NOTICE IS FURTHER GIVEN that the Commission may deem it necessary in order to carry out its duties herein to investigate the books, accounts, practices and activities of Ameritech Wisconsin. The expenses incurred or to be incurred by the Commission which are reasonably attributable to such investigation will be assessed against and collected from Ameritech Wisconsin in accordance with the provisions of § 196.85, Stats., and ch. PSC 5, Wis. Adm. Code.

Questions regarding this matter may be directed to Mike Varda, Legal Counsel, Telecommunications Division, at (608) 267-3591 or Murugan Kollengode, Staff Engineer, Telecommunications Division, at (608) 267-9138.

Dated at Madison, Wisconsin, _____

By the Commission:

Lynda L. Dorr
Secretary to the Commission

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cc: RM/Mail